IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 32075 of 2007(R)

PETITIONER:

G.SOMASUNDARAM, RATIONING INSPECTOR,
TALUK SUPPLY OFFICE, AMABALAPUZHA.

BY ADV. SRI.T.S.RADHAKRISHNA PILLAI
SRI.T.R.RAJEEV

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY THE SECRETARY TO THE GOVERNMENT, FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF CIVIL SUPPLIES, COMMISSIONERATE OF CIVIL SUPPLIES, THIRUVANANTHAPURAM.

3. THE DISTRICT SUPPLY OFFICER, ALAPPUZHA.

4. THE TALUK SUPPLY OFFICER, AMBALAPPUZHA, ALAPPUZHA.

5. THE CHAIRMAN CUM MANAGING DIRECTOR, KERALA STATE CIVIL SUPPLIES CORPORATION, GANDHI NAGAR, ERNAKULAM.

BY ADV. SMT.MOLLY JACOB,SC,SUPPLYCO

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI ,J.

WP(C).NO. 32075 of 2007

Dated this the 6th day of November, 2007

JUDGMENT

The petitioner is a Rationing Inspector in the Civil Supplies Department, currently posted in the Taluk Supply Office, Ambalapuzha. According to him, he is sought to be deputed to the Civil Supplies Corporation. He claims that he is exempted from such deputation on the strength of Ext.P2. Ext.P2 came to be issued at the instance of the petitioner, because he had met with a motor cycle accident on 12.3.2006 and he required physiotherapy almost everyday as per the advice of the doctor. Petitioner contends that the exemption given under Ext.P2 should continue further.

2. I heard the learned Government Pleader and the Standing Counsel for the Civil Supplies Corporation. In my view there cannot be any permanent exemption in favour of any employee of the Civil Supplies Department. The norms regarding such deputation do not contemplate any permanent exemption in favour of the petitioner. If on account of any physical disability, the petitioner should get

a posting in Alappuzha or nearby place, then it is open to the petitioner to make such a request before the Managing Director who shall consider the same while giving a posting to the petitioner. Petitioner shall therefore approach the 5th respondent for appropriate place of posting on deputation. Subject to this direction, the writ petition is disposed of.

V. GIRI, JUDGE

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